

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

UNITED STATES OF AMERICA,

Plaintiff,

v.

SEAN NANCE,

Defendant.

ORDER

02-cr-95-bbc

Defendant Sean Nance has filed a request for a copy of his sentencing and plea transcripts and presentence report and sentencing memorandum, stating that he wishes to use these documents to “argue his case” before the court.

As to defendant’s request for a copy of the sentencing and plea transcripts, I construe the request as a motion for preparation of the transcripts at government expense, pursuant to 28 U.S.C. §753(f), which provides in relevant part:

Fees for transcripts furnished in proceedings brought under section 2255 of this title to persons permitted to sue or appeal in forma pauperis shall be paid by the United States . . . if the trial judge or a circuit judge certifies that the suit or appeal is not frivolous and that the transcript is needed to decide the issue presented by the suit or appeal.

Defendant has not said what aspect of his conviction he wishes to challenge or

explained how the transcripts are necessary to decide the issue. Without this information, I cannot certify either that his motion would not be frivolous or that the transcripts are necessary. Therefore, his request for preparation of the transcripts at government expense will be denied without prejudice. He may renew the motion at any time, explaining exactly why he needs the transcripts to support his motion.

As to defendant's request for a copy of the presentence investigation report, he should contact his case worker at the prison and make arrangements to view the report at the prison.

ORDER

IT IS ORDERED that defendant Sean Nance's motion for preparation of transcripts at government expense pursuant to 28 U.S.C. §753(f) is DENIED without prejudice.

Entered this 29th day of March, 2011.

BY THE COURT:

/s/

BARBARA B. CRABB

District Judge